

Issuance Date: March 24, 2005

Effective Date: May 1, 2005

Expiration Date: March 23, 2010

STATE WASTE DISCHARGE PERMIT NUMBER ST 8093

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Spokane, WA 99205-1295

In compliance with the provisions of the
State of Washington Water Pollution Control Law
chapter 90.48 Revised Code of Washington, as amended,
and
the Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.,
authorizes

Vaagen Brothers Lumber Inc.
565 W. 5th Street,
Colville, WA 99114

Facility Address: 565 5th Street,
Colville, WA 99114

Discharge Location
Latitude: 48° 36' 56" N
Longitude: 117° 55' 00" W

Industry Type: Sawmill & Planing Mill

SIC Code: 2436

to discharge wastewater in accordance with the special and general conditions which follow.

James M. Bellatty
Water Quality Section Manager
Eastern Regional Office

TABLE OF CONTENTS

SUMMARY OF SCHEDULED SUBMITTALS4

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS5

S2. MONITORING REQUIREMENTS6

 A. Wastewater Monitoring

 B. Sampling and Analytical Procedures

 C. Flow Measurement

 D. Laboratory Accreditation

S3. REPORTING AND RECORDKEEPING REQUIREMENTS8

 A. Reporting

 B. Records Retention

 C. Recording of Results

 D. Additional Monitoring by the Permittee

 E. Noncompliance Notification

 F. Dangerous Waste Discharge Notification

 G. Spill Notification

S4. OPERATION AND MAINTENANCE9

 A. Operations and Maintenance Manual

 B. Bypass Procedures

S5. SOLID WASTE MANAGEMENT10

 A. Solid Waste Handling

 B. Leachate

 C. Solid Waste Control Plan

S6. SPILL PLAN11

S7. COMPLIANCE SCHEDULE.....12

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS.....14

G2. RIGHT OF ENTRY14

G3. PERMIT ACTIONS.....14

G4. REPORTING A CAUSE FOR MODIFICATION15

G5. PLAN REVIEW REQUIRED15

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES15

G7. DUTY TO REAPPLY15

G8. PERMIT TRANSFER15

G9. REDUCED PRODUCTION FOR COMPLIANCE16

G10. REMOVED SUBSTANCES16

G11. PENALTIES FOR VIOLATING PERMIT CONDITIONS16

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions sections of this permit for unscheduled submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Discharge Monitoring Report	Monthly	June 15, 2005
S4.	O & M Manual	once	October 31, 2006
S8.A	Plans and Specifications	once	July 31, 2005
S8.B	Certificate of Final Construction	once	March 31, 2006
G7.	Application for permit renewal	1/permit cycle	September 22, 2009

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

A. Interim Discharge Flow Limitation

Prior to start of operation of the wastewater pond system, the Permittee is allowed to continue the current discharge to the discharge outfall. Beginning on the effective date of this permit and lasting through April 30, 2006, the Permittee is authorized to discharge process water to the outfall subject to meet the following limitation: not to exceed a monthly average of 39,000 gallons per day, and daily maximum 45,000 gallons per day.

B. Final Discharge Flow Limitation

After completion of the construction of the wastewater pond system, all process waters should be discharged to the storage and evaporation pond. The process water is disposed of by evaporation and re-use only. All surface water discharges should be terminated.

Starting May 2006 and lasting through the expiration date of this permit, the Permittee is authorized to discharge process waters to a 2-cell, lined pond system. The influent flow to the pond is subject to meet the following limitations: not to exceed a monthly average of 10,000 gallons per day, and daily maximum 15,000 gallons per day.

S2. MONITORING REQUIREMENTS

A. Wastewater Monitoring

The Permittee shall monitor the wastewater according to the following schedule:

Interim Monitoring Schedule (January 2005 – April 2006)

Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	gpd	Mixing tank	daily	meter
pH	s.u.		monthly	measured
Conductivity	umhos/cm		monthly	measured
TDS	mg/l		monthly	measured
Chloride	mg/l		monthly	measured
Calcium	mg/l		monthly	measured

**Interim Monitoring Schedule at the Discharge Outfall
(January 2005 – April 2006)**

Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	gpd	Discharge outfall	monthly	measured
Temperature	C ⁰		monthly	measured
TDS	mg/l		monthly	measured

The Final Wastewater Monitoring (May 2006—2009)

Parameter	Units	Sample Point	Sampling Frequency	Sample Type
Flow	gpd	Pump station	daily	meter
pH	s.u.	The pond	quarterly	measured
Conductivity	umhos/cm	The pond	quarterly	measured
TDS	mg/l	The pond	quarterly	measured
Chloride	mg/l	The pond	quarterly	measured
Calcium	mg/l	The pond	quarterly	measured
Manganese	mg/l	The pond	quarterly	measured
The liner		Leak detection	quarterly	visual

**Three Year Ground Water Monitoring
(From January 2005 to June 2008)**

Parameter	Unit	Wells	Sampling Frequency	Sample Type
Water level	feet	4,5,6 & 7	quarterly	measurement
TDS	mg/l			grab
Sulfate	mg/l			grab
Manganese	mg/l			grab

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement.

S3. **REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be submitted no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to the Department of Ecology, Eastern Regional Office, N 4601 Monroe, Spokane, WA 99205-1295.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within thirty days (5 days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance Manual

An Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-150 and be submitted to the Department for approval by June 30, 2006. The O&M Manual shall be reviewed by the Permittee at least annually. All manual changes or updates shall be submitted to the Department whenever they are incorporated into the manual.

The approved operation and maintenance manual shall be kept available at the permitted facility.

The operation and maintenance manual shall contain the treatment plant process control monitoring schedule. All operators shall follow the instructions and procedures of this manual.

The manual shall include:

1. Plant maintenance and process control procedures, monitoring and self monitoring schedule, and recording keeping.
2. Repair activities which would affect the volume or character of the wastes discharged; a list including quantities and chemical compositions of any maintenance related substances. A list of hazardous chemicals that will be used in the facility lab.
3. Emergency contact and procedures for plant shutdown and cleanup in event of wastewater system upset or failure.
4. Solid waste management plan. This should include all solid wastes (except those regulated by chapter 173-303 WAC), a minimum description, source, generation rate, and disposal methods of these solid wastes.
5. Instrument calibration schedule and maintenance manuals for flow measurement device and all the other monitoring devices.

B. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass - Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions—Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Department will consider the following prior to issuing an administrative order:
 - a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
 - b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
 - c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions - Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, a violation of a pretreatment standard or requirement, or adversely impact public health as determined by the Department prior to the bypass.

S5. SOLID WASTE MANAGEMENT

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC.

C. Solid Waste Control Plan

The Permittee shall include a chapter in the O & M Manual for solid waste, and sludge handling. The solid waste will include wood waste pile, log yard wastes and other solid waste materials.

S6. SPILL PLAN

The Permittee shall review the plan at least annually and update the Spill Plan as needed. Changes to the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The updated spill control plan shall include the following:

- A description of operator training to implement the plan.
- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and petroleum products, materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or other materials which may become pollutants or cause pollution upon reaching state's waters.

Plans and manuals required by 40 CFR Part 112, contingency plans required by chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this section may be submitted.

S7. COMPLIANCE SCHEDULE

A. Plans and Specifications

No later than July 31, 2005, Vaagen Brothers Sawmill should submit the plans and specifications for the construction of the process water pond system which was recommended alternative in the engineering report approved by the Department in March of 2004. The submittal is required according to WAC 173-240 for the Department review and approval prior to the construction.

C. Final Construction

The final process water storage and evaporation pond system should be constructed during summer of 2005. No later than March 2006, the construction project should be completed and start to operate thereafter.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed as follows:

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to the Department at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

G2. RIGHT OF ENTRY

Representatives of the Department shall have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects a violation requiring immediate inspection. Representatives of the Department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit shall be subject to modification, suspension, or termination, in whole or in part by the Department for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;

- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

The Department may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and the receiving POTW is notified and;
- C. The Department does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee shall control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its treatment facility until the treatment capacity is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power for the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the effluent stream for discharge.

G11. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.